

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:05cr213

UNITED STATES OF AMERICA

vs.

RANDOLPH HARRIS AUSTIN

ORDER

**THIS MATTER** is before the Court on the motion of the defendant (Doc. No. 78) to reconsider its order (Doc. No. 77) denying his motion dismiss the Second Superseding Indictment (Doc. No. 74).

The Court is not persuaded by the additional arguments of counsel that its previous order was in error.

**IT IS, THEREFORE, ORDERED** that the defendant's motion for reconsideration (Doc. No. 78) is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, and to the United States Attorney.

Signed: August 1, 2006



Robert J. Conrad, Jr.  
Chief United States District Judge

